

1 **REMARKS**

2 Applicant has carefully considered the positions of the Examiner and respectfully requests  
3 reconsideration based upon the manifest differences between the present invention and the cited  
4 references. In the June 19, 2004 Office Action the Examiner rejected the pending claims under 35  
5 U.S.C. §103. Applicant herein responds to those rejections and highlights the differences between  
6 the pending claims and the cited references such that it should become apparent to the Examiner that  
7 these rejections should be reconsidered and withdrawn.

8 The Examiner rejected Claims 51, 56, 61, 66, 72 and 79 under 35 USC 103(a) as obvious over  
9 Hyodo in view of Norris et al. and Rameau. In the opinion of the Examiner, "Norris et. al teach  
10 Internet call waiting, which reads on determining if said advertiser is available to receive a real-time  
11 Internet communication." Nowhere does Norris teach or suggest determining if said advertiser is  
12 available to receive a real-time Internet communication. This can be plainly seen in that nowhere in  
13 Norris does a real-time Internet communication ensue nor is one even contemplated or possible.  
14 Rather, Norris is merely determining if the caller is available to accept a regular telephone call, at  
15 which point the Norris system, if the caller is available, redirects the call to the B-channel. This is  
16 very different from establishing a real-time Internet connection. Nothing in the cited references  
17 suggests the capability of receiving or establishing a real-time Internet communication.

18 Therefore, because all of Claims 51-86 claim a method for providing an enhanced computer  
19 based advertising system which includes, in relevant part, determining if said advertiser is available  
20 for receiving a real-time Internet communication, and then establishing the real-time Internet  
21 communication if the user is available, the applicant respectfully submits that the Examiner's  
22 rejection has been traversed. Claims 51-84 are now believed to be allowable in view of the known

art.

## CONCLUSION

In view of the foregoing, applicant respectfully submits that the present invention represents a patentable contribution to the art and the application is in condition for allowance. Early and favorable action is accordingly solicited.

Respectfully submitted

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